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9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 MICHAEL J. MARRICK,

16 Defendant.

No. CR 07-70106 HRL

**STIPULATION TO CONTINUE  
REMOVAL HEARING; [PROPOSED]  
ORDER**

17 Defendant and the government, through their respective counsel, hereby stipulate that,  
18 subject to the court's approval, the removal hearing in the above-captioned matter, presently  
19 scheduled for Thursday, April 26, 2007, at 11:00 a.m., be continued to Thursday, May 17, 2007,  
20 at 11:00 a.m. The continuance is requested because the parties have agreed that this matter  
21 should be transferred to this district pursuant to Rule 20 of the Federal Rules of Criminal  
22 Procedure and additional time is needed to complete the necessary paperwork. In addition, Mr.  
23 Marrick's wife is due to have their child at anytime.

24 The parties further agree and stipulate that time should be excluded from and including  
25 April 26, 2007 through and including May 17, 2007, in order to facilitate a transfer, pursuant to  
26 Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv). Accordingly, the United States and the

1 defendant agree that granting the requested exclusion of time will serve the interest of justice and  
2 outweigh the interest of the public and defendant in a speedy trial.

3  
4 Dated: 04/23/07

/s/  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

5  
6 Dated: 4/24/07


/s/  
TOM O'CONNELL  
Assistant United States Attorney

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8  
9 **ORDER**

10 The parties have jointly requested a continuance of the removal hearing set for April 26,  
11 2007, in order to complete the necessary paperwork to have the case transferred to the Northern  
12 District of California. In addition, the continuance is requested because Mr. Marrick's wife is  
13 due to have their child anytime.

14 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
15 presently set for April 26, 2007 be continued to May 17, 2007 at 11:00 a.m. as well as the period  
16 of delay from April 26, 2007, to and including May 17, 2007, be excluded for purposes of  
17 Speedy Trial Act computations pursuant to Title 18, United States Code, Sections 3161(h)(8)(A)  
18 and 3161(h)(8)(B)(iv).

19  
20 Dated: 4/27/07

21   
22 PATRICIA V. TRUMBULL  
United States District Judge